

**From:** Tucker Cheadle  
**To:** 'Microsoft.atr(a)usdoj.gov'  
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**Subject:** Microsoft Settlement

Gentlemen,

The Microsoft case has gone on long enough.

By way of background the Wall Street Journal reported that this case was instigated by Sun Microsystems and Oracle who were worried that Microsoft would develop products in their areas. They spent \$3,000,000 on a mock trial for Joel Klein's benefit, made all of their lawyers and engineers available to the government and then Joel Klein agreed to pursue the case.

The original allegations have long been dismissed, ie., the browser, or lost and the government is left with a monopoly finding and no ability to break up the company.

Yet, Sun and Oracle go on and on and on. In an unrelated civil case Sun and Oracle are opposing a settlement with over 100 plaintiffs and Microsoft...and neither Sun nor Oracle are or ever have been parties in the case. And, they prevailed on Governor Davis to join them on behalf of California.

Most interestingly, among the chief complaints of Sun and Oracle were the Windows desk top system. Although Windows has been out for some 9 years, neither Sun nor Oracle have ever created their own desk top system. They could have done it years ago, or even now, but they do not do so. Rather, they have embraced the Windows platform and have extended it in their own ways.

It is long time to move on. The settlement is reasonable and should be approved.